

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 06-2502

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JAMES ROBERT TICE,

Appellant

v.

HARRY E. WILSON, Warden; THE DISTRICT ATTORNEY OF THE  
COUNTY OF ERIE, PENNSYLVANIA; THE ATTORNEY GENERAL OF THE  
COMMONWEALTH OF PENNSYLVANIA

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On Appeal from the United States District Court  
for the Western District of Pennsylvania  
(D. C. No. 03-cv-00009E)  
District Judge: Hon. Sean J. McLaughlin

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Submitted under Third Circuit LAR 34.1(a)  
on January 18, 2008

Before: SCIRICA, Chief Judge, BARRY and ROTH, Circuit Judges

**JUDGMENT**

This case came on to be heard on the record before the United States District Court for the Western District of Pennsylvania and was submitted under Third Circuit LAR 34.1(a) on January 18, 2008.

Upon consideration whereof,

**IT IS ORDERED AND ADJUDGED** by this Court that the judgment of the District Court dated, March 31, 2006, be and the same is hereby **affirmed**.

All of the above in accordance with the Opinion of this Court.

ATTEST:

/s/ Marcia M. Waldron  
Clerk

Dated: May 7, 2008

  
Certified as a true copy and issued in lieu  
of a formal mandate on 05/29/08  
Teste: *Marcia M. Waldron*  
Clerk, U.S. Court of Appeals for the Third Circuit